

Truth in Sentencing

Frequently Asked Questions (FAQs)

Q: What is Truth in Sentencing?

A: First enacted in 1984, Truth in Sentencing (TIS) laws are a form of determinate sentencing where incarcerated individuals are required to serve a substantial portion of their sentence, generally 85%, prior to release. Under this model, parole eligibility and good time credits are restricted or outright eliminated.

Q: Has Louisiana ever had Truth in Sentencing?

A: Yes, Louisiana previously operated under a TIS model, which was gradually reformed over time.

AFTER DECADES OF A MANDATORY MINIMUM STRUCTURE, IT WAS FOUND THAT LOUISIANA'S SENTENCING LAWS HAD "DONE LITTLE TO DETER CRIMINAL BEHAVIOR, HAVE RESULTED IN DISPROPORTIONATE SENTENCES FOR MANY CRIMINALS (BOTH RELATIVE TO OTHER SIMILAR CRIMES AND RELATIVE TO FEDERAL SENTENCING MANDATES), HAVE PROHIBITED JUDGES FROM APPLYING SENTENCES THAT MIGHT HAVE BEEN MORE EFFECTIVE IN DETERRING FUTURE CRIMINAL BEHAVIOR, HAVE DISINCENTIVIZED REHABILITATION, ESPECIALLY OF NON-VIOLENT OFFENDERS, AND HAVE RESULTED IN A SIGNIFICANT INCREASE IN LOUISIANA'S PRISON POPULATION, WITH ATTENDANT COSTS TO LOUISIANA'S TAXPAYERS."

Reason Foundation Report, 2013

Q: Do states still use Truth in Sentencing?

A: Many states have amended or scaled back TIS laws. While each state's approach to TIS may look slightly different, some key takeaways include the following:




A: Many states have amended or scaled back their Truth in Sentencing Laws. At its peak in the late 1990s, more than 30 states had a version of TIS. Today, most states have revisited determinate sentencing, re-established good time or earned credits, or some combination of those elements. Only 16 states prohibit discretionary parole releases and 2 have since reinstated parole eligibility after previously eliminating it.

In 2 states where TIS laws have been recently reintroduced, the costs are staggering:

- *TN is projected to spend an additional \$25 million annually*
- *AR is estimated to spend \$163 million over the next 10 years in addition to the proposed construction of a new prison, which is expected to cost \$470 million to build and \$31 million per year to operate*

Q: Why have states moved away from Truth in Sentencing?

A: Over time, most states realized that TIS resulted in larger prison populations at tremendous cost. Here are three examples of state experiences under TIS models:

State Spotlight		Impacts of TIS
Wisconsin		<ul style="list-style-type: none"> 14% growth in the prison population Annual corrections budget reached \$2.25 Billion Severe programming shortage
Georgia		<ul style="list-style-type: none"> Dangerous environment within prisons More crime committed upon re-entry Significantly higher reincarceration rates
Arizona		<ul style="list-style-type: none"> 50% increase in rule infractions 20% reduction in education program enrollment Higher rate of reincarceration

Q: Does Truth in Sentencing make communities safer?

A: Crime across the country has declined regardless of TIS laws. Between 1984 and 2009, when TIS was on the rise, prison populations grew by 250% and crime decreased by 31%. Since 2010, the prison population has fallen by 24% and crime has dropped by another 30%.

National Crime Rate v. Number of Imprisoned Individuals, 1984-2022

